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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,184	11/13/2003	Dirk Crouchs	10541-1740	7891

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BRINKS HOFER GILSON & LIONE/CHICAGO/COOK
PO BOX 10395
CHICAGO, IL 60610

EXAMINER

WINNER, TONY H


ART UNIT	PAPER NUMBER
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3611

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

JE

 Office Action Summary	Application No.	Applicant(s)	
	10/712,184	CROUGHS ET AL.	
	Examiner	Art Unit	
	Tony H. Winner	3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-9, 11, 13-22, 24-28 and 30-36 is/are rejected.
- 7) ☒ Claim(s) 5, 10, 12, 23 and 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/13/03</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "**The present invention provides**," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Objections

2. Claims 8, 11, 12, 15, 17, 20, and 23 are objected to because of the following informalities: The following recitations lack antecedent basis:

- a. Claim 8 recites "steering assist override information",
- b. Claim 11 recites "vehicle acceleration",
- c. Claim 12 recites "the steering wheel rate",
- d. Claim 15 recites "the engine speed",
- e. Claim 17 recites "the vehicle input",
- f. Claim 20 recites "the desired steering assist",
- g. Claim 23 recites "the calculated" and "the actual electronic flow",

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 16, 20-21, and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Yokota et al. (US. patent 6,041,883).

Yokota discloses a system for controlling a vehicle steering system comprising:

- a. a power steering pump (92);
- b. an electronic flow control device (34) coupled to the power steering pump; and
- c. an electronic control unit (70) configured to control the electronic flow control device such that hydraulic parasitic losses are minimized.

With regard to claims 2-3 and 16, Yokota discloses all of the claimed limitations.

With regard to claim 20, Yokoto discloses a method for controlling a vehicle steering system comprising:

- a. monitoring vehicle input signal information;
- b. calculating a desired steering assist based on the vehicle input signal information;
- c. controlling an electronic flow control device based on the desired steering assist; and
- d. generating the desired steering assist demand such that hydraulic parasitic losses are minimized in the steering system.

With regard to claims 21 and 33, Yokoto discloses all of the method claimed limitations.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 6-9, 11, 13-15, 19, 22, 24-28, 31-32, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoto.

With respect to claims 4, 6-9, 11, 13-15, 19, 22, 24-28, 31-32, and 34 Yokoto discloses the claimed invention but lacks the teaching that a steering wheel rate input may be used to control the flow control device. Yokoto, however, teaches that other input, for example, vehicle speed may be used to control the flow control device. Therefore, it would have been an obvious matter of design choice to control the flow control device using input such as: steering wheel rate, engine speed, vehicle acceleration, two dimensional lookup table, driver operational selection signal, and etc..., since the applicant has not disclosed that by selecting any of the specific input would solve any stated problem or is for any particular purpose and it appears that the invention would perform equally well with the present teaching.

5. Claims 17-18 and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoto in view of Bottesch (US. patent 5,276,620).

Yokoto is disclosed above but lacks the teaching of a digitized signal input.

Bottesch discloses an automatic countersteering system wherein all non-digital signals are digitized for purposes of expediency.

Based on the teaching of Bottesch, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the input signal of Yokoto to include the digitized input signal of Bottesch so as to provide expediency in signal processing.

With regard to claim 18, Yokoto as modified by Bottesch discloses all of the claimed limitations.

The same logic of rejection is also being applied to the method claims 35 and 36.

Allowable Subject Matter

6. Claims 5, 10, 12, 23, 29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Liubakka et al. ('223), Inoue ('515) are cited of interest.

8. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Anthony H. Winner whose telephone number is (703) 306-5957. The examiner can normally be reached on Monday-Friday from 9:30 am to 6:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Lesley Morris, can be reached at (703) 308-0629. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

9. Information regarding the status of an application may be obtained from the Patent Application Information-Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



TONY WINNER
PATENT EXAMINER

February 3, 2005